

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

## MMMT HOLDINGS CORPORATION.

**Plaintiff.**

V.

## NSGI HOLDINGS, INC.,

Defendant.

Case No. C12-1570RSL

## ORDER DENYING MOTION FOR PROTECTIVE ORDER

This matter comes before the Court on “Defendant NSGI Holdings, Inc.’s Motion for Protective Order.” Dkt. # 52. At the time the motion was filed, the only pending claim was based on an implied covenant, the existence of which was challenged by defendant. Defendant sought to bifurcate the action so that the existence of the implied covenant could be tested before the parties turned to issues related to breach and damages. Plaintiff has now filed a Second Amended Complaint which contains a number of breach of contract claims. Because breach and damages will have to be addressed regardless of whether plaintiff is able to prove the existence of an implied covenant, the Court finds that bifurcation is not warranted.

**ORDER DENYING MOTION  
FOR PROTECTIVE ORDER**

For all of the foregoing reasons, defendant's motion to for protective order (Dkt. # 52) is DENIED.

Dated this 27th day of September, 2013.

Mrs Casnik

Robert S. Lasnik  
United States District Judge